

Application No.: 10/537,905

2002P16790WOUS
Torsten WAHLER**REMARKS/ARGUMENTS*****Claim Status***

After entry of this Amendment, Claims 1 and 4 are pending in this application. By this Amendment, Claim 1 is amended, and Claims 2 and 3 are cancelled. No new matter is added.

Drawings

The Examiner objects to the drawings under 37 CFR 1.83(a) and assert that the trapezoidal grooves of Claim 3 must be shown or cancelled from the claims. By this Amendment, Claim 3 is cancelled. The instant objection to the drawings is, therefore, moot.

For the sake of completeness, Applicant respectfully submits that Fig. 5 shows one embodiment of a trapezoidal groove 6.

Claim Rejections – 35 U.S.C. § 102

The Examiner rejects Claims 1 – 3 under 35 U.S.C. § 102(b) as being anticipated by Fischer (DE 40 38 555). Hence, the Examiner asserts that Fischer discloses each and every limitation recited in these claims. Applicant respectfully traverses because Fischer does not teach a mating gear having radially extending trapezoidal grooves in the sense of the present application.

Notwithstanding the propriety of the instant rejections over Fischer, but to expedite examination and allowance of the present application, Applicant amends Claim 1, as set forth in the above listing of claims. Briefly, amended Claim 1 includes the limitations of Claim 2 (now cancelled), and further defines that each groove has an outer edge and an inner edge, wherein a difference between the outer edge and the inner edge on a circular arc is not zero, and wherein the difference is selected so that an outer distance between opposing outer edges of a groove is larger than an inner distance between opposing inner edges of a groove. No new matter is added because Fig. 5 shows, and the description on page 6, lines 15 – 30, explains that the difference x between the outer edge 11 and the inner edge 12 of a groove 6 does not equal zero, and that the outer distance is larger than the inner distance.

Fischer does not disclose or suggest a gearing as defined in amended Claim 1. More particularly, Fischer discloses a reduction gear having a flexible externally-

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cogged steel sleeve-type wheel 2 and a clutch disc 4 having teeth and grooves. The teeth (not the spaces between the teeth) are trapezoidal, as clearly shown in Fig. 4. (See, last sentence of the German description, or, according to the Examiner, paragraph 18 of the translation.) Fischer's description is silent as to the shape of the grooves, but, as shown in Fig. 4, the grooves between the teeth appear to be rectangular.

In view of Fischer's disclosure, Applicant submits that Fischer fails to disclose grooves, wherein a difference between an outer edge and an inner edge on a circular arc is not zero, and wherein the difference is selected so that an outer distance between opposing outer edges of a groove is larger than an inner distance between opposing inner edges of a groove. Applicant respectfully submits that Fischer at least fails to teach these limitations of amended Claim 1. Fischer, therefore, does not anticipate amended Claim 1. Applicant respectfully requests the Examiner to reconsider and withdraw the instant rejection over Fischer and to pass amended Claim 1 and dependent Claim 4 to allowance.

Claim Rejections – 35 U.S.C. § 103

The Examiner rejects Claim 4 under 35 U.S.C. § 103(a), as being unpatentable over Fischer in view of Hirn (U.S. 6,220,115). Applicant respectfully traverses.

Absent unacceptable hindsight that uses Applicant's claimed invention as a template for improperly modifying the prior art, Fischer provides no suggestion for modifying the teeth and grooves, as defined in amended Claim 1. Hirn does not provide the features missing in Fischer to anticipate or render obvious independent Claim 1. Claim 4 depends from Claim 1. For this reason and because of the additional inventive features recited in Claim 4, Applicant submits that Claim 4 is patentable over Fischer in view of Hirn, and respectfully requests the Examiner to reconsider and withdraw the instant rejection, and to pass Claim 4 to allowance.

Summary of Response

Applicant has responded to the rejections in the December 7, 2007 Office Action by presenting the foregoing amendments and arguments. Applicant respectfully submits that Claims 1 and 4 are in condition for allowance. Applicant respectfully requests the Examiner to withdraw all rejections and to pass this application to the issue process.

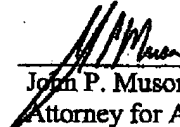
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Torsion WAHLER***Request for Telephone Interview***

The undersigned has made a good faith effort to respond to the rejections raised in the Office Action so as to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call the undersigned attorney of record at the telephone number listed below in order to resolve such issues promptly.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 502464 referencing attorney docket number 2002P16790WOUS.

Respectfully submitted,

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